

Draft and workshops coming soon

C-Plan Rule Changes Move Ahead

Spills Program planners have been working throughout the fall and winter revising the vessel and oil-handling facility contingency plan rules. They hope to have a preliminary draft out soon, in time for workshops and comments before a formal rule proposal in spring 2001.

The contingency plan rules stipulate how vessel and facility owners and operators, and spill response companies, must be prepared to take action if a spill occurs. The current versions have been in place for about 10 years.

Vessel contingency planner Roy Robertson, who is heading up the rule revision project, said they are well due for an overhaul. "The revision will update the rules to mesh with the changes in Washington over the last 10 years. It will allow us to better quantify a plan holder's response capability. We now know more about response management systems than was known when these were first adopted."

Robertson noted that the current rules do not take into account the development of Geographic Response Plans, which guide response in sensitive areas and operations conducted within certain regions of the state. Another

major change that has taken place is the wide adoption of the incident command system, now used by the U.S. Coast Guard and in the Northwest Area Contingency Plan.

Robertson's goal for the rule revision is simple. "I'd like to see a good working rule that's fair for everyone, protects sensitive areas in Washington, and assures an effective response capability," he

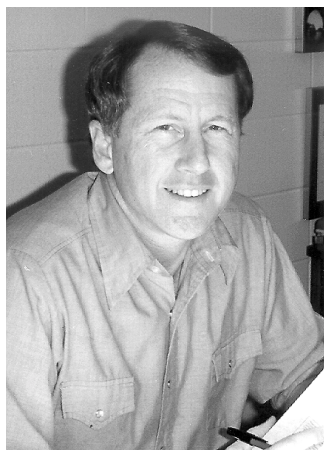
said. Getting there, however, may be complicated. A working draft should be out in February, at which time workshops will be held around the state to gather comment. By spring 2001 he hopes to be able to formally propose the rule. Then there will be public hearings before the final rule is adopted near the end of the

Continued on page 3



Ecology and the U.S. Navy were recently honored with Vice President Al Gore's "Hammer Award," for improving government efficiency. (Remember the "\$400 hammer"?) Navy Rear Admiral Vinson E. Smith, Susan Blumenthal, of the National Partnership for Reinventing Government, and Ecology Director Tom Fitzsimmons are shown here with the awards. Ecology and the Navy have worked together to reduce the volume of oil spills in the Pacific Northwest by 98 percent since 1998. The award also recognizes that dangerous wastes have been reduced by 20,000 tons since 1990 at Washington's three largest Navy facilities.

Response Chief Retires, for a While



Steve Hunter

Steve Hunter has retired. The chief spill responder for the Department of Ecology has exchanged his "moon suit" protective coveralls for a case of suntan lotion and the open road of the Arizona desert. It's a move he welcomes, but there is also a pang at leaving.

"Ecology in general is the kind of place that passes the 30 year test," Hunter said just before his last day at work. "It wears very well. I liked it when I came here, I liked it while I was here, and I like it just as well now that I'm stepping down. It means a lot to look back on 30 years and say it was a great choice and I'd do it again. I think that's a reflection on the people. I think I was treated awfully well in a variety of jobs."

He plans to visit family in Arizona and take some time to

hike, mountain bike, camp and shoot (he's an ex-competitive handgun shooter). After a brief vacation he intends to return to the Spills Program for a two-day per week stint, doing special policy and program development projects.

"I need to step down in stages," Hunter said. "This is a wonderful opportunity to stay involved in spill response and make a first step in retirement also."

Hunter started with Ecology as a planner in 1974, after four years as a research analyst and economist with the Department of Community and Economic Development. His education in business administration included a bachelor's from Gonzaga University in Spokane and a master's from Pacific Lutheran University in Tacoma. At Ecology he worked in the water and budget offices, and as assistant director for management and budget, and management and support services.

In 1988 he became assistant manager for central programs and enforcement, the same year he received the agency's Outstanding Employee Award. In 1992 he requested reassignment to the section head position supervising the field operations of spill prevention and response. Under his leadership the response office

developed its organized drill program, weathered budget cuts, and met the demands of the exploding workload in drug lab response.

What words of wisdom would Steve Hunter give his successor? "I think they're fortunate to have that job. It's one of the best jobs in the agency. It combines management sophistication requirements along with enjoyable field response work – rapid response to real world tangible environmental issues. That combination makes it pretty special."

Spill SCENE

Spill Scene is published by the Washington State Department of Ecology to provide information on oil and hazardous substance spill prevention, preparedness and response. We welcome your comments and questions. Call (360) 407-7211 or write: Editor, **Spill Scene**, Department of Ecology, Spills Program, P.O. Box 47701, Olympia, WA 98504-7701. Visit our website at <http://www.wa.gov/ecology/spills/spills.html>

Editor: **Mariann Cook Andrews**
(e-mail: maco461@ecy.wa.gov)
Circulation Manager: **Deanie Elwell**
(e-mail: delw461@ecy.wa.gov)

Contributors: **Mike Lynch, Norm Davis, Laura Stratton**

Ecology is an equal opportunity agency. If you have special accommodation needs, please contact the Spills Program at (360) 407-7455 (Voice) or (360) 407-6006 (TDD).



printed on recycled paper

Junk mail or good stuff?

*Much as we'd hate to lose you,
here is your chance to leave our mailing list.*

If you want to stop receiving a hard copy of *Spill Scene* (you can still get it on our Web site) send your name and address to Editor, *Spill Scene*, Department of Ecology, P. O. Box 47600, Olympia, WA 98504-7600, with the request to be removed from our mailing list. Please specify if you would like to continue receiving other Spills Program materials.

Voluntary BAP Program Underway

In March 2000 the U.S. Supreme Court ruled that several of Washington's regulations for tank vessels are pre-empted by federal laws and regulations (Intertanko vs. Locke). Ecology responded by suspending enforcement of all oil spill prevention plan rules for oil tankers and tank barges. The Spills Program then appealed to over 130 tank vessel owners and operators to voluntarily continue to meet Washington's Best Achievable Protection (BAP) standards. So far, 30 percent of those companies have enrolled in Washington's Voluntary BAP Program for Tank Vessels. More significantly, 50 percent of tanker transits during calendar year 2000 were made by ships operated by companies participating in the

voluntary program.

"We asked for voluntary compliance because we felt the BAP standards make a difference," said Spills Program Manager Joe Stohr. "These companies stepped forward to continue maintaining a high level of environmental protection and we are grateful."

The companies listed here have approved spill prevention plans and are Associate Members on the Washington BAP List. A company becomes a Full Member when one or more of its tank vessels pass inspection, verifying it is meeting BAP standards. For more information, contact Captain Laura Stratton at (360) 407-7485 or see Ecology's Web site (<http://www.ecy.wa.gov/programs/spills/spills.html>).

Aran Shipping and Trading S.A.

Piraeus, Greece

Blystad Shipping (USA) Inc.

Westport, Connecticut, USA

Brostrom Ship Management AB

Skarhamn, Sweden

E. Nomikos Corporation

Piraeus, Greece

Island Tug and Barge Ltd.

Vancouver, B.C., Canada

IUM Singapore Pte. Ltd.

Singapore

Keystone Shipping Company

Bala Cynwyd, Pennsylvania, USA

Kyklades Maritime Corporation

Athens, Greece

Marine Petrobulk Ltd.

North Vancouver, B.C., Canada

M.T.M. Ship Management Pte.

Ltd.

Singapore

Continued on Page 4

Rule from page 1

summer.

Robertson and his committee have been working on what they perceive as the most significant issues. They have distributed issue papers on specific topics, outlining the current situation and proposing a specific change to the current rule. Some of these major issues include:

- ◆ Putting the planning standards into rule form. Previously they have been in guidelines form. Court rulings during the past decade have stipulated that only rules are enforceable.
- ◆ Addressing emergency services, such as marine firefighting, vessel salvage, and emergency lightering (removing cargo or fuel).
- ◆ Providing credit towards the planning requirements, if certain actions are taken to prevent spills from reaching state

waters, such as non-permeable secondary containment and corrosion protection.

- ◆ Establishing a "task force" approach to planning standards, requiring a complete system from oil pickup to storage to disposal for each type of environment (open water, nearshore, etc.). The current rule only requires certain equipment to be in place, without addressing how it all needs to work together to be truly effective.
- ◆ Addressing a plan holder's responsibility for oiled wildlife rescue operations, both in terms of resources and timeliness.
- ◆ Requiring that a plan holder name a "Qualified Individual" who can be on site within four hours of a significant spill.
- ◆ Setting additional requirements regarding drills. Ecology is to

provide a manual for drills, and plan holders are to give Ecology advance notice for announced drills and use a drill system compatible with the incident command system.

- ◆ Providing Ecology the option to waive certain contingency plan requirements in selected cases, if environmental protection can be maintained.

Robertson said most comments received on the issue papers so far have been directed towards the planning standards and emergency services. He is still receiving comments on the issue papers, which are also posted on the Spills Program Web site. (<http://www.ecy.wa.gov/programs/spills/spills.html> under "Hot Topics.")

For more information on the rule changes, and the process for public comment, call Roy Robertson at (360) 407-7202, or e-mail at rrob461@ecy.wa.gov.

Rescue Tug Spins Safety Web

The dedicated rescue tug *Barbara Foss* was stationed at Neah Bay from December 15, 1999 to June 9, 2000, courtesy of \$1.5 million in funding from the federal government, Washington state, and the *Tenyo Maru* Oil Spill Natural Resources Trustees.

The *Barbara Foss* conducted 43 drills and answered three actual calls for emergency assistance during its successful stay in Neah Bay. The drills tested the tugs ability to respond to a fictional “ship in distress” under various conditions (see map). In four of the drills, Navy ships participated by actually stopping and drifting.

For each drill, information such as tug speed, response time and environmental conditions were collected. The information was then turned into maps using a Geographic Information System. The collected information and maps can be found in the publication, *Neah Bay Rescue Tug: Report to the Washington State Legislature* (WDOE #00-08-023).

This year the *Barbara Foss* was in place by September 18, thanks to \$1.65 million in funding from Washington state. The tug contract was selected through a competitive bid process that helped stretch the budget to provide eight

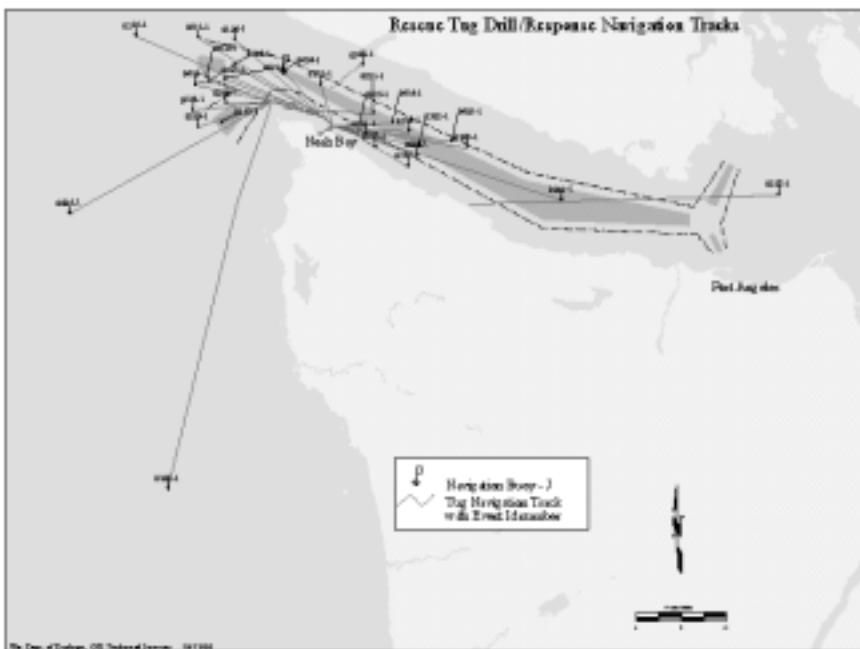


Chart showing “web-like” rescue tug track lines for drills and responses from December 15, 1999 to June 9, 2000.

months of coverage.

Instead of emphasizing drills during the 2000-2001 season, the *Barbara Foss* will be sent out to meet and stand by a vessel when the vessel’s history suggests the need.

The first real incident for the *Barbara Foss* this winter came October 16 when the tug was dispatched to assist a 885-foot containership with fuel problems adrift six miles off the coast. The vessel was able to get underway without a tow, but the *Barbara*

Foss was there, ready to provide help if needed.

For a copy of the report, contact Ecology’s Publications Distribution Office, (360) 407-7472, or visit our Web site. (<http://www.ecy.wa.gov/biblio/spills.html>).

BAP from page 3

Neptune Orient Lines Ltd.
Singapore

Newport Petroleum, Inc.
Signal Hill, California, USA

Orient Marine Co., Ltd.
Tokyo, Japan

Tanker Pacific Management Pte. Ltd.
Singapore

Tokyo Marine Co., Ltd.
Tokyo, Japan

Tschudi & Eitzen International A/S
Gentofte, Denmark

Vanguard Enterprise Co., Ltd.
Tokyo, Japan

West Coast Fuel Transport Ltd.
Vancouver, B.C., Canada

PSFO Moves to Harbor Island

The Puget Sound Field Office has moved, to Harbor Island on Port of Seattle property. The new address is:

Department of Ecology
Puget Sound Field Office
1011 SW Klickitat Way, Suite 211
Seattle, WA 98134

All phone numbers, e-mail, etc. remain the same.

Don't Let Winter Weather Foul You Up

Winter weather brings added risk to mariners in Washington. Strong winds, rough seas, shorter periods of daylight, icy decks, and heavy rain or snow all add to the difficulty and danger of working on ships. Different types of vessels require various considerations, but all crews can benefit from added precautions and a review of heavy weather procedures.

Weather forecasts take on added significance in the winter. Masters, particularly those on smaller vessels, might choose to delay departures, alter course, or heave-to to wait out predicted storms or adverse bar conditions.

All crews should check their communication, navigation, and safety equipment. It's a good time to check the condition of lifeboats, liferafts, exposure suits, EPIRBs, flare kits, and other lifesaving equipment. Cargo or equipment might require extra lashing. Check hatch seals and watertight doors. Ensure adequate bunker reserves to allow for possible increased fuel consumption from fighting heavy weather or course deviations. Icy conditions might require a supply of rock salt to spread on the deck and chipping tools to break ice from equipment and railings. Tug crews should double check the condition of towlines, chafing gear, and barge bridles.

When anchoring, masters should consider their exposure to strong wind and currents. Is it appropriate to increase the scope of chain? Watchstanders should be particularly vigilant monitoring their position and be prepared to respond if they observe or are in danger of dragging anchor. Responses might include setting a second anchor, bringing main engines on line, or taking assistance



A severe winter storm off the West Coast caused millions of dollars in lost cargo and damage to the APL China.

from a tug. Monitor other vessels in your vicinity that might create a hazard by dragging anchor or parting mooring lines.

Moored vessels might need extra mooring lines to counter strong winter winds and currents. Inspect the condition of the lines and mooring winches prior to use. A regular maintenance and testing program for mooring winch brakes is recommended. Additional chafing gear may be required on mooring lines. Establish an adequate watch schedule to make rounds and regularly

check mooring lines and equipment.

Severe weather could delay or interrupt bunkering or cargo operations. Establish conservative parameters for stopping operations, and ensure that watchstanders monitor weather conditions and forecasts.

Finally, check to see that your crew has adequate personal protective gear and clothing to work in winter weather. Appropriate raingear, boots, gloves, and flotation devices make deck work safer as well as more comfortable.

Notify for Small Spills, Too

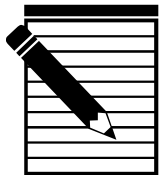
Commercial vessels of 300 gross tons or more that operate in Washington waters must have oil spill response contingency plans and organization. Most vessels are enrolled with the Washington State Maritime Cooperative (WSMC) to provide this. WSMC is ready, willing, and able to perform its functions, but they have to be notified of a spill in order to do their job and protect your interests.

Several recent spillers have **incorrectly** assumed that they don't need to call WSMC for a small spill from their covered vessel. Ecology has penalized them

for failing to notify WSMC. **Any** oil spill from a vessel covered by WSMC must be immediately reported to WSMC. WSMC will then determine an appropriate response to the spill, based on its size and other factors.

In addition to the penalty, failure to report to WSMC may void the defense and limit of liability of the spiller and subject them to trebling of costs incurred. WSMC even offers to make some of the other required notifications for you if communications are difficult. WSMC is available 24 hours a day on VHF channel 20 or telephone (206) 448-7557.

Upcoming Events



*Ecology welcomes
submittals of
notices of public
events related to
oil and hazardous
substance spill*

*prevention, preparedness and
response. Ecology reserves the
right to select events for publica-
tion. Please contact Mariann
Cook Andrews at (360) 407-7211
(e-mail: maco461@ecy.wa.gov)
for more information.*

February 8 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

February 14 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

February 14 – 10 a.m.

Puget Sound Harbor Safety Comm.
Port of Seattle Bldg.
Seattle, WA
Contact: Dave Schneider, (206) 728-3523

March 8 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

March 14 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

April 11 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

April 11 – 10 a.m.

Puget Sound Harbor Safety Comm.
Port of Seattle Bldg.
Seattle, WA
Contact: Dave Schneider, (206) 728-3523

April 12 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

May 9 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

May 10 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

Spill Prevention, Preparedness,
and Response Program
PO Box 47701
Olympia, WA 98504-7701
Address Service Requested

